

RESOLUTION NO. 2019-24

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING CONTRACTUAL EVALUATION OF THE VILLAGE CLERK; PROVIDING FOR A PROCEDURE FOR ANNUAL EVALUATIONS OF THE VILLAGE CLERK BY THE VILLAGE COUNCIL PURSUANT TO THE EMPLOYMENT CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

(Sponsored by Mayor Karyn Cunningham)

WHEREAS, the employment contract for the Village Clerk provides that the Council may establish an annual evaluation procedure; and,

WHEREAS, the employment contract for the Clerk provides that the Clerk is deemed to have performed satisfactorily in the absence of any annual evaluation by the Council, and therefore receives the salary increase provided to Village employees; and,

WHEREAS, the contract for the Clerk provides that evaluation by the Council, should the Council desire to conduct such evaluation, is to take place within the sixty (60) day period preceding December 15th of each year; and,

WHEREAS, the anniversary date for the Clerk’s contract is April 19th of each year, with an expiration date of close of business on April 18, 2021; and

WHEREAS, the Council desires to establish, in cooperation with the Clerk, an annual evaluation procedure for the Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF PALMETTO BAY, FLORIDA, THAT:

Section 1. The Village Council hereby establishes the following annual evaluation procedure for the Village Clerk:

Evaluation Form. The Human Resources Department and the Clerk shall develop a recommended annual evaluation form for the Clerk (“Annual Clerk Evaluation Form”), which shall be submitted to the Council

1 for adoption or amendment no later than the first regular Council meeting
2 in April 2019.

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4 **Completion of Evaluation Form by Council Members.** Council
5 Members shall be provided a copy of the Annual Village Clerk Evaluation
6 Form on or about September 15th of each and every year. Council
7 Members shall return the completed forms to the Village Attorney no later
8 than September 22nd.

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10 **Evaluation on Council Agenda.** The Village Clerk shall
11 automatically place the item, "Annual Clerk Evaluation", on the agenda for
12 each and every first Council meeting in October.

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14 **Review of Council-Completed Forms and Discussion.** Upon
15 receipt of all five Annual Clerk Evaluation Forms (one from each Council
16 Member), the Village Attorney shall provide such forms to the Village
17 Clerk for inclusion with the agenda item listed on the Council meeting
18 agenda for the immediately subsequent October Council meeting. The
19 Council shall consider the issue of the evaluation of the Clerk as the
20 Council sees fit, by adopting such evaluation finding and such pay
21 increase as it chooses, or by taking no action so as to cause the
22 contractual finding of satisfactory performance and associated pay
23 increase to prevail.

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25 **Completion of Evaluation.** Evaluation by the Council may be
26 continued or deferred to any date prior to December 15th of each year, but
27 under all circumstances such evaluation must be completed by that date.

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29 **Section 2.** This Resolution shall take effect immediately upon its
30 adoption.

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32 **PASSED and ADOPTED** this 4th day of February 2019.

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34 Attest:

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38 DocuSigned by:
Missy Arocha
39 Missy Arocha
40 Village Clerk

DocuSigned by:
Karyn Cunningham
Karyn Cunningham
Mayor

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
2 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA
3 ONLY:

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DocuSigned by:
7 Dexter W. Lehtinen
8 Dexter W. Lehtinen
9 Village Attorney

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12 **FINAL VOTE AT ADOPTION:**

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- Council Member Patrick Fiore YES
- Council Member David Singer YES
- Council Member Marsha Matson YES
- Vice-Mayor John DuBois YES
- Mayor Karyn Cunningham YES